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(SPACE BELOW FOR FILING STAMP ONLY)

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Attorneys for Plaintiffs Estate of Ariel M. Garcia, et al.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

ESTATE OF ARIEL MUNOZ GARCIA, by  
and through its Successors in Interest,  
JOCELINE BETZABEC GALVAN REYES,  
ARIEL ENRIQUE MUNOZ GALVAN, a  
minor by and through his Guardian ad Litem,  
Joceline Betzabec Galvan Reyes, UZIEL  
ERNESTO MUNOZ GALVAN, a minor by  
and through his Guardian ad Litem, Joceline  
Betzabec Galvan Reyes; JOCELINE  
BETZABEC GALVAN REYES; ARIEL  
ENRIQUE MUNOZ GALVAN, a minor by  
and through his Guardian ad Litem, Joceline  
Betzabec Galvan Reyes; UZIEL ERNESTO  
MUNOZ GALVAN, a minor by and through  
his Guardian ad Litem, Joceline Betzabec  
Galvan Reyes,

Plaintiffs,

vs.

TOP CAT AIR TOOLS, an Ohio Corporation;  
UNITED ABRASIVES, a New York  
Corporation, and DOES 1 through 50,  
inclusive,

Defendants.

Case Number 14-cv-02780-EMC

(Consolidated case: C14-2840 EMC)

~~PROPOSED~~ ORDER RE:  
PETITION FOR APPROVAL OF  
MINORS' COMPROMISE

(Docket No. 53)

1 AND ALL RELATED ACTIONS.

2  
3 Petitioner Plaintiff JOCELINE BETZABEC GALVAN REYES' Petition for  
4 Approval of Minors' Compromise (Docket No. 44) was heard on September 24, 2015,  
5 before the Honorable Edward M. Chen in Department 5 of the above entitled court.  
6 Attorney Sandra R. Romero appeared on behalf of Petitioner Plaintiff JOCELINE  
7 BETZABEC GALVAN REYES, ESTATE OF ARIEL MUNOZ GARCIA, UZIEL  
8 ERNESTO MUNOZ GALVAN and ARIEL ENRIQUE MUNOZ GALVAN. Attorney  
9 Fernando F. Chavez appeared on behalf of Petitioner Idalia Lopez and Plaintiffs BRIAN  
10 LOPEZ and GENESIS LOPEZ. Attorney William H. Staples appeared on behalf of  
11 Defendant UNITED ABRASIVES. Attorney Nathaniel R. Lucey appeared on behalf of  
12 Defendant TOP CAT AIR TOOLS.

13 Having heard and considered all submitted pleadings, the Court approves the  
14 Petition for Minors' Compromise. The total settlement amount of \$160,000 to Plaintiffs  
15 JOCELINE BETZABEC GALVAN REYES, ESTATE OF ARIEL MUNOZ GARCIA,  
16 UZIEL ERNESTO MUNOZ GALVAN and ARIEL ENRIQUE MUNOZ GALVAN is  
17 fair and reasonable. Plaintiff UZIEL will receive a gross recovery of \$40,000, minus 25%  
18 in attorneys' fees, his net recovery of \$30,000 will be used by the Defendants to fund  
19 future periodic payments through a structured settlement annuity contract as outlined in  
20 the attached EXHIBIT "A". Plaintiff ARIEL will receive a gross recovery of \$40,000,  
21 minus 25% in attorney fees, his net recovery of \$30,000 will be used by the Defendants  
22 to fund future periodic payments through a structured settlement annuity contract as  
23 outlined in the attached EXHIBIT "A". Plaintiffs JOCELINE BETZABEC GALVAN  
24 REYES and ESTATE OF ARIEL MUNOZ GARCIA will receive a collective amount of  
25 \$80,000, minus attorneys' fees and costs.

26 **IT IS SO ORDERED.**

27 DATED: September 30, 2015

28   
HON. EDWARD M. CHEN

Case Number 14-cv-02780-EMC

(Consolidated case: C14-2840 EMC)

**EXHIBIT "A" to the  
ORDER RE: PETITION FOR APPROVAL OF MINORS' COMPROMISE**

**DESCRIPTION OF PERIODIC PAYMENTS**

**Benefits Provided By  
PACIFIC LIFE INSURANCE COMPANY, rated A+XV by A.M. Best**

	Cost	Guaranteed Payments	Expected Payments
<b>Payee: Ariel Enrique Munoz Galvan</b>			
<i>Date of Birth: November 16, 1999</i>			
<b>Guaranteed Lump Sum Payments</b>			
\$10,000.00 guaranteed lump sum payable at age 19 (11/16/2018).		\$10,000.00	\$10,000.00
\$10,000.00 guaranteed lump sum payable at age 21 (11/16/2020).		\$10,000.00	\$10,000.00
\$12,283.00 guaranteed lump sum payable at age 23 (11/16/2022).		\$12,283.00	\$12,283.00
<b>TOTAL for Ariel Enrique Munoz Galvan</b>	<b>\$30,000.00</b>	<b>\$32,283.00</b>	<b>\$32,283.00</b>
 <b>Payee: Uziel Ernesto Munoz Galvan</b>			
<i>Date of Birth: August 27, 2001</i>			
<b>Guaranteed Lump Sum Payments</b>			
\$10,000.00 guaranteed lump sum payable at age 18 (8/27/2019).		\$10,000.00	\$10,000.00
\$10,000.00 guaranteed lump sum payable at age 21 (8/27/2022).		\$10,000.00	\$10,000.00
\$14,395.00 guaranteed lump sum payable at age 23 (8/27/2024).		\$14,395.00	\$14,395.00
<b>TOTAL for Uziel Ernesto Munoz Galvan</b>	<b>\$30,000.00</b>	<b>\$34,395.00</b>	<b>\$34,395.00</b>

The projected purchase date of the periodic payments is November 14, 2015. Any delay in funding the periodic payments may result in a change of the payment dates or change in payment amounts that shall be referenced in the qualified assignment document and annuity contract without the necessity of obtaining further court approval or amending the Settlement and Release Agreement.

Assignment: The Defendants' obligation to make the periodic payments described herein shall be assigned to Pacific Life & Annuity Services, Inc. through a Qualified Assignment and funded by an annuity contract issued by Pacific Life Insurance Company, rated A+XV by A.M. Best. To fund the periodic payments, the Defendants and/or their Insurers, Federal Insurance Company and Central Mutual Insurance Company, will each issue a check in the amount of \$30,000.00 (totaling \$60,000.00) payable to Pacific Life & Annuity Services, Inc. and execute the Qualified Assignment and Release Agreement.

All periodic payments listed above shall be made in United States currency, and shall be mailed to a residence address or to a United States bank, both within the U.S. borders.

September 25, 2015

